

Docket No.: 043888-0132

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277
Osamu SAKAI, et al. : Confirmation Number: 7151
Application No.: 10/088,484 : Group Art Unit: 1745
Filed: March 20, 2002 : Allowed: April 01, 2005
Examiner: DAH-WEI YUAN
For: POLYMER ELECTROLYTE FUEL CELL AND METHOD FOR PRODUCING THE
SAME

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OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. 1.313(c)(2)
FOR WITHDRAWAL FROM ISSUE FOR CONSIDERATION OF
AN INFORMATION DISCLOSURE STATEMENT UNDER §1.97
IN VIEW OF A REQUEST FOR CONTINUED EXAMINATION (RCE)

Mail Stop 313(c)/Withdrawal from Issue
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition under 37 C.F.R. 1.313(c)(2) for the withdrawal of this application from issue.

PETITION

1. Applicants hereby petition for the withdrawal of this application from issue.

PATENT ISSUE FEE

2. The issue fee for this case was paid on May 13, 2005.

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10/088,484

REASON FOR WITHDRAWAL REQUEST

3. The reason for withdrawal from issue of this application is for consideration of an Information Disclosure Statement (IDS). Applicants are concurrently filing a Request for Continued Examination (RCE), pursuant to 37 C.F.R. §1.313(c)(2) and 37 C.F.R. §1.114 along with the IDS citing the references contained in a European Search Report to be considered.

PETITION FEES

4. The Commissioner is authorized to charge the \$130.00 fee for the present Petition to Deposit Account No. 50-0417. The Commissioner is hereby authorized to charge any fees due or credit any overpayment in connection with the filing of this paper to Deposit Account 500417.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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**Please recognize our Customer No. 20277
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Re:	U.S. Patent Application No. 10/088,484 For: POLYMER ELECTROLYTE FUEL CELL AND METHOD FOR PRODUCING THE SAME Inventor: Osamu SAKAI, et al. Our Reference: 043888-0132		

Message: PLEASE CONFIRM RECEIPT OF THIS FACSIMILE

Attached for filing in Patent No. Attached for filing in Patent No. 10/088,484 is:

1. Petition Under 37 CFR 1.313(c)(2) for Withdrawal From Issue for Consideration of an Information Disclosure Statement Under § 1.97 in View of a Request for Continued Examination (RCE)
2. Request for Continued Examination (RCE) Transmittal
3. Information Disclosure Statement
4. PTO Form 1449 with 2 References

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DIANA DAVIS

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Diana Davis 10/7/05

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